

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VANGUARD AUTOMOTIVE DESIGN LLC,

Plaintiffs,

- against -

NICHOLAS APICELLA, et al.,

Defendants.

ORDER

23-CV-05335 (PMH)

PHILIP M. HALPERN, United States District Judge:

The Court held a conference on October 4, 2023. As stated on the record, the Court made the following rulings:

1. Plaintiffs shall, by October 6, 2023, serve Defendants with (a) initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1); (b) responses to Defendants' first set of document demands; and (c) responses to Defendants' first demand for interrogatories.
2. Plaintiffs shall produce Mr. Christopher Gliemann for deposition by October 27, 2023.
3. Plaintiffs' counsel shall, by October 6, 2023, file an affirmation of engagement for October 20, 2023 setting forth (a) the title of the action or proceeding in which counsel is engaged; (b) its general nature; (c) the court in which it is scheduled; and (d) the name of the judge who will preside over it.
4. Plaintiffs shall, by October 6, 2023, file and serve their reply to Defendants' counterclaims and affidavit of service, each dated August 10, 2023.
5. Defendants shall, by October 16, 2023, serve Plaintiffs with responses to Plaintiffs' discovery requests.

6. Plaintiffs shall, by October 18, 2023, turn over to Defendants the equipment, material, and other items identified in the Affidavit of Nicholas Apicella (Doc. 9-1). The parties shall meet and confer on a mutually agreed date, time, and place to conduct the transfer of the identified equipment, material, and other items so as to effectuate it prior to October 18, 2023. Defendants' request for leave to file a motion for preliminary injunction is denied as moot.
7. Defendants shall, by October 18, 2023, turn over all right, title, and interest in the website domain associated with Vanguard Automotive Design LLC. The parties shall file a proposed order and stipulation acknowledging that the website domain is transferred without prejudice to Defendants' asserting an entitlement to money damages arising from that transfer.

SO ORDERED.

Dated: White Plains, New York
October 5, 2023



PHILIP M. HALPERN
United States District Judge